

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

PATRICIA MARKEY

PLAINTIFF

v.

CIVIL NO. 3:15-cv-743-DPJ-JCG

COMMISSIONER OF SOCIAL  
SECURITY

DEFENDANT

ORDER

This Social Security case is before the Court for consideration of dismissal. In his Report and Recommendation [18], United States Magistrate Judge John C. Gargiulo recommends that the Court grant the Commissioner's Motion for an Order Affirming the Decision of the Commissioner [16] and dismiss this case. Though the record indicates that Plaintiff never responded to the Commissioner's dispositive motion, Judge Gargiulo nevertheless examined the merits and found them lacking. He therefore entered the Report and Recommendation on January 6, 2017, and informed Plaintiff that she had fourteen (14) days to object. *See* R&R [18] at 9. That deadline passed without objection.

The Court, having fully reviewed the unopposed Report and Recommendation of the United States Magistrate Judge, and being duly advised in the premises, finds that the Report and Recommendation should be adopted as this Court's opinion.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge John C. Gargiulo be, and the same is hereby, adopted as the finding of this Court. The decision of the Social Security Administration is affirmed, and this appeal is dismissed with prejudice.

A separate judgment will be entered herein in accordance with this Order as required by Federal Rule of Civil Procedure 58.

**SO ORDERED AND ADJUDGED** this the 27th day of January, 2017.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE